



April 20, 2015

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: **CC Docket 02-33 – Notice of Detariffing of Common Carrier Wireline Broadband Internet Access Transmission Service**

Dear Ms. Dortch:

By this letter, consistent with the requirements of paragraph 101 of the Federal Communications Commission's *Report and Order and Notice of Proposed Rulemaking* in CC Docket Numbers 02-33 and 01-337 released September 23, 2005, FCC 05-150 ("*Broadband Internet Order*"), *Accipiter Communications, Inc.* ("Company") hereby notifies the Commission that the Company intends to commence offering its wireline broadband internet access transmission service (WBIATS) on a detariffed basis effective July 1, 2015. While the service will be detariffed, it will continue to be offered on a common carrier basis. Accordingly, the Company has notified the National Exchange Carrier Association ("NECA") and requested the Company be removed from the list of carriers providing Digital Subscriber Line service under NECA Tariff F.C.C. No. 5, effective July 1, 2015.

The Company has only one customer currently taking WBIATS and that customer is the nonregulated Internet Service Provider ("ISP") operation of the Company. The nonregulated operation of the Company purchases WBIATS as a component in its broadband Internet service sold to consumer and commercial end user customers. The discontinuation of the tariffed offering of WBIATS will have no effect on the end user Internet service provided by the Company.

Pursuant to the requirements of paragraph 101 of the *Wireline Broadband Order*, a copy of this notice is being sent to the Governor of Arizona, the Arizona Corporation Commission, and the Special Assistant for Telecommunications at the Department of Defense. A copy of this notice is also being sent to NECA.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "J. Vellucci".

Jennifer Vellucci, CPA, CGMA
Vice Pres/Chief Financial Officer

**Notice of Permissive Detariffing of Wireline Broadband Internet Access Service
Effective July 1, 2015**

Accipiter Communications, Inc.

Study Area 452191

2238 W. Long Cactus Drive, Suite 100

Phoenix, AZ 85027

CC Docket No. 02-33

April 20, 2015

Pursuant to Federal Communications Commission's *Report and Order and Notice of Proposed Rulemaking* in CC Docket Numbers 02-33 and 01-337 adopted August 5, 2005 and released September 23, 2005, FCC 05-150 ("*Broadband Internet Order*"), facilities-based wireline carriers are permitted to offer broadband Internet access transmission common carrier service pursuant to tariff, or on a detariffed basis. Effective July 1, 2015, Accipiter Communications, Inc. ("Company") will begin offering its wireline broadband Internet access transmission service (normally referred to Digital Subscriber Line or DSL service or WBIATS) on a detariffed basis. The Company is required to provide notice to certain parties of the carrier's intent to discontinue providing WBIATS on a tariffed basis. This notice by the Company fulfills that requirement.

The Company will continue to make WBIATS available on a detariffed common-carriage basis through posting on its Internet website (www.zonacommunications.com), with a copy of the generally available terms, conditions and rates available for public inspection at 2238 W. Long Cactus Drive, Suite 100 Phoenix, AZ 85027

The reasons the Company has elected to make this change in its offering of WBIATS are cost and competition related. Currently, the company is required to offer WBIATS under the rates, terms and conditions of National Exchange Carrier Association (NECA) Tariff F.C.C. No. 5. The rates per NECA's tariff are nationwide average rates. By detariffing its wireline broadband Internet access transmission service, the Company will gain greater flexibility which will enable the Company to respond to changing customer demands more quickly than under a tariffing regime. By electing this option, the Company will be able to not only offer more competitive prices but also offer new and innovative service arrangements that respond to the customer needs. The Company's hope is that this change will increase the use of broadband Internet access, a goal shared not only by the Company but also by the Federal government and State of Arizona.

April 20, 2015

Notice by Accipiter Communications, Inc.

To Provide Wireline Broadband Internet Access Service on a Detariffed Basis

Page 2

While the detariffing of this service does not constitute a discontinuance of service, the Federal Communications Commission has asked carriers that implement detariffing to follow procedures similar to those required for the discontinuance of service. Consistent with those requirements, you are hereby informed that the business office address for Accipiter Communications Inc. is 2238 W. Long Cactus Drive, Suite 100 Phoenix, AZ 85027. Please also be informed that the geographic areas affected by this change are the certified telecommunications territory served by the Company's Lake Pleasant and Sun Valley exchanges. The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive the discontinued service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected.

CERTIFICATE OF SERVICE

I, Jenifer Vellucci, hereby certify that the foregoing Notice of Detariffing was served on April 20, 2015, by mailing true and correct copies thereof, postage prepaid, to the following:

Secretary of Defense
Attn: Special Assistant for Telecommunications
1000 Defense Pentagon
Washington, D.C. 20301-1000

Office of the Arizona Governor
Office of Doug Ducey
1700 West Washington Street
Phoenix, AZ 85007

Steve Olea
Director Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

National Exchange Carrier Association
80 South Jefferson Road
Whippany, New Jersey 07981

Zona Communications
2238 W. Long Cactus Drive
Suite 100
Phoenix, AZ 85027



Jenifer Vellucci



MEMO

TO: Zona Communications – DSL Customer

FROM: Jenifer Vellucci – CFO
Accipiter Communications, Inc. dba Zona Communications

DATE: April 10, 2015

RE: Docket 02-33 – Notice of Permissive De-tariffing of Wireline Broadband and Internet Access Service by Accipiter Communications, Inc. (Study Area: 452191)

This memo is to advise you that Accipiter Communications Inc. ("Accipiter") will discontinue provisioning broadband transport services on July 1, 2015 from the NECA Tariff No. 5. Accipiter currently provides broadband transport services in the local telephone exchanges of Lake Pleasant and Sun Valley as well as the surrounding rural areas in Arizona. No action is required on your part. Please be advised that broadband transport services will be available to you on a common carrier, non-tariffed basis. The existing relevant rates, terms and conditions will not change until the end of your existing term or upon replacement of a new agreement under the de-tariffed pricing, terms, and conditions.

Effective July 1, 2015 the new rates, term, and conditions for broadband transport services will be available in printed copy during normal business hours at Accipiter's business office located at 2238 W. Long Cactus Drive, Suite 100 Phoenix, AZ 85027 or on our website at: www.zonacommunications.com.

.cc Marlene H. Dortch, Secretary of Federal Communications Commission
Special Assistant for Telecommunications at the Department of Defense
Doug Ducey - Governor of Arizona
Steve Olea – Director Utilities Division - Arizona Corporation Commission
Mark Roberts - NECA Member Services